



Order Filed on November 2, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. L.BR 9004-l(b)
Law Offices of Michael McLaughlin, LLC
72 West End Avenue
Somerville, New Jersey 08876
Attorneys for Charles and O'Linda Whitaker
MICHAEL MCLAUGHLIN, ESQ.

In re:

CHARLES D. WHITAKER and
OLINDA N. WHITAKER,

Debtor.

Chapter 13

Case No. 19-19544(MBK)

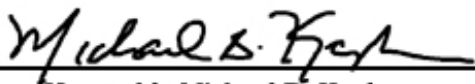
Honorable Michael B. Kaplan

Hearing Date: October 27, 2021
9:00 a.m.

ORDER APPROVING SETTLEMENT OF CONTROVERSY
PURSUANT TO BANKRUPTCY RULE 9019

The relief set forth on the following page, numbered two (2) is hereby ORDERED.

DATED: November 2, 2021


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Charles and Olinda Whitaker

Case No.: 19-19544(MBK)

Caption of Order: Order Approving Settlement of Controversy Pursuant to Bankruptcy Rule 9019

THIS MATTER having been opened to the Court by Michael McLaughlin, Esq., counsel for Chapter 13 Debtors Charles and Olinda Whitaker, and it appearing that the Debtors have confirmed the Chapter 13 Plan pursuant to Court Order dated September 20, 2019 providing, *inter alia*, for retention of any non-exempt proceeds of the claim against South Brunswick Shopping Plaza identified on the bankruptcy petition as an asset a pending personal injury case Charles and O'Linda Whitaker v. South Brunswick Shopping Center et al., MID-L-1649-19; and the Court having review the Certification of Charles and Olinda Whitaker in support of approval of the gross settlement amount of \$225,000.00 of the pending lawsuit, and the Motion in Support of the Settlement and any responsive pleadings that may be filed by an interested party or creditor in this case, and for good cause shown,

IT IS, ON THIS__ DAY OF _____, 2021,

ORDERED, that Debtors Charles and O'Linda Whitaker be and are authorized to settle the pending litigation entitled Charles and O'Linda Whitaker v. South Brunswick Shopping Plaza, MID-L-1649-19 pending in the New Jersey Superior Court, Law Division, Middlesex County, for the gross settlement proceeds of \$225,000.00 allocated \$185,000.00 to Charles Whitaker and \$40,000.00 to O'Linda Whitaker; and it is further

ORDERED, that the settlement be and is hereby approved and that the Debtors may retain a total of \$61,679.00 representing their allowable exemptions against the asset under 11 U.S.C. §522(d)(5) and 11 U.S.C. §522(d)(1)(D) after payment of the worker's compensation lien

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Debtor: Charles and Olinda Whitaker

Case No.: 19-19544(MBK)

Caption of Order: Order Approving Settlement of Controversy Pursuant to Bankruptcy Rule 9019

counsel fees and costs, with any remaining non-exempt net proceeds to be paid to the Chapter 13 Trustee; and it is further

ORDERED, that the Debtors' settlement with the South Brunswick Shopping Plaza as memorialized in the Settlement Agreement annexed to the Debtors' Certification as Exhibit "A" is hereby approved; and it is further

ORDERED, that the Debtors-in-Possession, and their special counsel, Rebenack Aronow and Mascolo LLP are authorized to take all measures to complete the proposed settlement.

In re:
Charles D Whitaker
Olinda N. Whitaker
Debtors

Case No. 19-19544-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Nov 02, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 04, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Charles D Whitaker, Olinda N. Whitaker, PO Box 6414, Somerset, NJ 08875-6414

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 04, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 2, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor QUICKEN LOANS INC. dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Michael McLaughlin	on behalf of Debtor Charles D Whitaker mmclaughlin@mmcllaw.com
Michael McLaughlin	on behalf of Joint Debtor Olinda N. Whitaker mmclaughlin@mmcllaw.com
Rebecca Ann Solarz	on behalf of Creditor QUICKEN LOANS INC. rsolarz@kmlawgroup.com
U.S. Trustee	

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Nov 02, 2021

Form ID: pdf903

Total Noticed: 1

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6